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Halifax Regional Council

April 15, 2004

May 4, 2004

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: *Betty MacDonald*
Betty MacDonald, Director, Governance and Strategic Initiatives

DATE: April 14, 2004

SUBJECT: Interim Growth Management, Districts 1, 2 and 3

ORIGIN

At the Regional Council meeting of April 13, staff were directed to return with a report outlining implications of implementing the Alternative provided in the April 13 report, for electoral districts 1, 2 and 3 and documentation necessary to do first reading at that time, should Council wish to proceed.

BACKGROUND

Staff recommended implementation of interim growth management controls at the Council meeting of April 13, 2004.

Council approved the recommended plan amendments to put interim growth management controls in place for the period of the regional plan. Staff were asked to return with a report outlining implications of implementing the Alternative provided in the April 13 report, for electoral districts 1, 2 and 3, which reads:

Council could schedule a second public hearing to provide for 12 lots per parcel until the regional plan is approved (the Hammonds Plains approach modified for short term use rather than over 4 years), contiguous with local roads and maximizing frontage.

Staff were also asked to prepare plan amendments ready for first reading, should Council wish to proceed to a public hearing.

DISCUSSION

When reviewing the electoral districts staff realized the intent of Council's discussion was better realized by addressing plan areas.

Staff approached the Councillors from Districts 1, 2 and 3 to reach agreement on using plan areas instead of electoral districts and the Councillors agreed. The plan areas are:

- District 1
Eastern Shore (West)
- District 2
Planning Districts 14 & 17 (Shubenacadie Lakes)
- District 3
Planning Districts 8 & 9 (Lake Echo to Chezzetcook)
- Lawrencetown
- North Preston, Lake Major, Lake Loon/cherry Brook and East Preston
- Shared by District 1 and 2 (most of the plan is in District 1)
Musquodoboit Valley - Dutch Settlement Area

Council asked staff to outline the implications of the Alternative for their consideration. Time doesn't permit full analysis of all of the questions that were asked, but some key points are outlined below:

1. Development trends and pressures

The portion of District 1 which is within the rural commutershed is characterised by long, narrow

parcels with limited frontage. These are remnants of the original land grants. Large scale subdivision generally requires consolidation. 80 (2.4 %) of the lots that are currently in various stages of approval are within District 1.

Most of District 2 is within the rural commutershed. A significant amount of large scale development has occurred in District 2. 506 (15.7 %) of the lots that are currently in various stages of approval are within District 2.

All of District 3 is within the rural commutershed, and many of the parcels are characterised by long, narrow lots with limited frontage. These are remnants of the original land grants. Large scale subdivision generally requires consolidation in these areas. 508 (15.7 %) of the lots that are currently in various stages of approval are within District 3.

1. Water quantity and quality issues

The areas within District 2 which have been subject to new development have known problems with both quantity and quality of groundwater. Water services have been extended in response to groundwater issues in Fall River and Windsor Junction Crossroads.

Risk analysis - There is some potential risk. Staff will be monitoring the amount of development.

2. Lot and Road Potential -

There has been insufficient time to accurately determine the potential number of lots and associated roads that would be permitted under a 10 Lots/PID scenario, specifically for Districts 1, 2, and 3. The analysis previously done for the entire Interim Plan Area resulted in an estimated total potential of 18,484 Lots and 420 km of Potential New roads. Based on the geographic areas in question, it can be reasonably estimated that at least half of these would be permitted in Districts 1, 2, and 3. It should be noted that this analysis is entirely theoretical, done in an effort to determine the Total Potential.

Attachment 1 outlines lot approval history by district. Districts 1, 2 and 3 represent approximately 30% of lot approvals in the commutershed, if no acceleration occurs. Hammonds Plains is an anomaly in the lot trend history.

3. Transportation Issues

Development in Districts 1 contributes traffic loading to both Main Street and Cole Harbour Road/Portland Street. A recently completed study on roadway capacity indicated that Main Street is beyond its threshold for safe traffic flow. Traffic congestion on Portland Street has reached a point where development controls have been placed on areas within the servicing boundary that contribute traffic to this corridor.

In District 2, concern has been expressed by the public regarding traffic loading on several commuter roads including Waverley Road, Fall River Road, and Lockview Road. Further development in District 2 would likely add traffic to all of these routes.

The impact of traffic from District 3 is similar to that of District 1.

General Transportation

The risk of accelerated development in the referenced areas brings into question the ability of the existing roadway network to handle additional trip generation. Addressing such capacity issues here, and throughout the region, can and will be done through the regional plan by improving the overall effectiveness of transit service delivery and by identifying specific strategic roadway network expansion projects. These transportation decisions are best made in concert with growth decisions and not as a result of growth occurring in advance of the plan.

Risk analysis - There is some potential risk from a transportation perspective. Staff will be monitoring the amount of development.

5. Ability to grandfather lots after the Regional Plan is approved

Lots that aren't approved before the Regional Plan is approved will be subject to Regional Plan policy.

BUDGET IMPLICATIONS

There will be negative impacts on future capital budgets if accelerated un-serviced development occurs.

There is no impact on the operating budget associated with the recommended action.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

Council could schedule a second public hearing to provide for a maximum of 10* lots per parcel of land existing prior to January 22, 2004, until the regional plan is approved, on local roads with restrictions on the amount of road constructed. Concept plans would be consistent with existing interim growth management.

* Councillors in the affected area requested a change from 12 to 10 lots.

This alternative demonstrates flexibility to some communities which indicated a preference at the public hearing for a limited amount of new roads.

ATTACHMENTS

1. Attachment 1 - Lot Approval History by District
2. Attachment 2 - New Lots Permitted under existing Subdivision Applications during the Interim Growth Management Period Summary by District
3. Attachment 3 - New Lots Permitted during the IGM Period
4. Attachment 4 - Amendments to Interim Growth Management

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Peter Duncan, Environment Manager, Regional Planning
David McCusker, Transportation Manager, Regional Planning
Ed Thornhill, Manager, Planning and Development

Report Approved by: _____
Betty MacDonald, Director, Governance and Strategic Initiatives

Attachment 1

Lot Approval History by District

District	1998	1999	2000	2001	2002	2003	Past 6 Years
1	92	89	102	84	100	49	516
2	81	68	128	122	141	144	684
3	103	102	95	141	110	59	610
18	48	57	49	150	137	48	489
19	150	163	226	201	135	89	964
22	383	557	277	318	350	477	2362
23	119	171	126	153	119	81	769

Attachment 2

**New Lots Permitted under existing Subdivision Applications
during the Interim Growth Management Period
Summary by District**

DISTRICT	Number of Lots	km of New road
1	80	1.83
2	506	11.57
3	508	11.61
18	95	2.17
19	23	523
22	997	22.33
23	523	11.96
Total	3228	73.38

Attachment 3

Districts 1, 2 & 3 - New Lots Permitted during the IGM Period

DIST	Application Status	File #	Subdivision Name	Number of Lots	Potential Lots		km of New road
					1st year	2nd Year	
1	Tent Approved	20020045		31	31		0.71
1	Tent Approved	10662	Maritime Shores Ltd.	1	1	0	0.02
1	Conc comp	10677	Martinique by the	26	25	1	0.59
1	Tent Approved	20020039	Nolan Head	22	22	0	0.50
						80	1.83
2	Conc App	10392	Brookhill	45	25	20	1.03
2	Conc App	19995053	Kinloch	600	25	25	1.14
2	Tent Comp	20015121	Lake Fletcher Est. Kinloc Phase 5	60	60		1.37
2	Tent Comp	20015121	Lake Fletcher Est. Kinloc Phase 6	180	180		4.11
2	Conc App	20030001	Oaken Hills	130	25	25	1.14
2	Conc comp	10402	Schwartzwald	111	25	25	1.14
2	Conc App	20020842	Spider Lake	20	20	0	0.46
2	Conc App	20020069	St. Andrews	86	25	25	1.14
2	Tent Approved	10036	St. Andrews Village	1	1	0	0.02
						506	11.57
3	Tent Comp	10554	Beach Breeze Estates	13	13	0	0.30
3	Conc comp	10535	Beech Breeze Esta	109	25	25	1.14
3	Conc App	19980479-3-C	Cheviot Hills	84	25	25	1.14
3	Conc App	P-172-97-09	Crowell Estates	63	25	25	1.14
3	Conc App	19990146-3-C	Lawrencetown Lake	40	25	15	0.91
3	Conc comp	10443	O'Connell Subd.	29	25	4	0.66
3	Conc App	19980178-3-C	Pine Breeze Est	800	25	25	1.14
3	Conc App	20000218-3-C	Pleasant Hill Sub	18	18	0	0.41
3	Tent Approved	1998114903	Porterfield Subdivision	11	11	0	0.25
3	Conc App	CP-204-97-09	Prescott Esates	25	25	0	0.57
3	Conc comp	2000005303	Shoreline Village	50	25	25	1.14
3	Conc App	19990144-3-C	Two Rivers Villag	120	25	25	1.14
3	Tent Approved	10551	Whisper Wood Estates	25	25	0	0.57
3	Conc App	10128	Whisperwood Estat	47	25	22	1.07
						508	11.61

Districts 18 & 19 - New Lots Permitted during the IGM Period

DIST	Application Status	File #	Subdivision Name	Number of Lots	Potential Lots		km of New road
					1st year	2nd Year	
18	Conc App	20020298	First Pond Estate	57	25	25	1.14
18	Tent Comp	10412	First Pond Estates	9	9	0	0.21
18	Conc App	20020386	J.L. Fancy	36	25	11	0.82
						95	2.17
19	Tent Approved	20020557		1	1	0	0.02
19	Tent Approved	10604		10	10	0	0.23
19	Tent Approved	20020368		1	1	0	0.02
19	Conc App	20020646	Berry Hills	105	25	25	1.14
19	Conc App	20005198	Lakecrest	110	25	25	1.14
19	Conc App	20015248	Lakeleaf Heights	70	25	25	1.14
19	Conc App	20015127	Lost Creek	258	25	25	1.14
19	Tent Approved	10103	Lost Creek	89	89		2.03
19	Tent Comp	19985577	McCabe Lake East	90	90		2.06
19	Tent Approved	20030031	Monarch Est.	41	41		0.94
19	Conc App	20020259	Newridge	100	25	25	1.14
19	Tent Approved	10675	Rivendale	10	10	0	0.23
19	Conc App	20020217	Sidhu Drive Ext.	29	25	4	0.66
						521	11.91

District 22 - New Lots Permitted during the IGM Period

DIST	Application Status	File #	Subdivision Name	Number of Lots	Potential Lots		km of New road
					1st year	2nd Year	
22	Tent App	20015040		1	1	0	0.02
22	Tent App	20030159		3	3	0	0.07
22	Conc App	19990463	Birch Bear Woods	104	25	25	1.14
22	Tent App	20000446	Cambrians Cove	9	9	0	0.21
22	Conc App	20005203	Colin's Road	467	25	25	1.14
22	Tent App	20030170	Five Island lake	4	4	0	0.09
22	Conc App	20020893	Five Island Lake	41	25	16	0.94
22	Tent App	10672	Five Island Lake	21	21	0	0.48
22	Tent Comp	20030170	Five Island Lake (Ramar)	21	21	0	0.48
22	Conc App	20020663	GAM	40	25	15	0.91
22	Tent App	10536	Highland Park	8	8	0	0.18
22	Tent Comp	10578	Lake of the Woods	19	19	0	0.43
22	Tent App	10571	Old Mill Road	6	6	0	0.14
22	Conc App	19980548	Paulsen	9	9	0	0.21
22	Conc comp	10432	Paulsen	26	25	1	0.59
22	Conc App	10053	Titianium	51	25	25	1.14
22	Tent App	20015269	Voyager	125	125		2.86
22	Conc App	19985647	Voyageur	152	25	25	1.14
22	Tent Comp	19985712	Waterstone - Phase 3	54	54		1.23
22	Tent Comp	2001SW21	Westwood Hills	386	386		8.82
22	Tent App	20000623	Westwood Hills	4	4	0	0.09
						977	22.33

District 23 - New Lots Permitted during the IGM Period

DIST	Application Status	File #	Subdivision Name	Number of Lots	Potential Lots		km of New road
					1st year	2nd Year	
23	Conc comp	10659	Brookside Estates	130	25	25	1.14
23	Conc App	20000411	Darrell Leonard	50	25	25	1.14
23	Tent App	20020034	Dockside Marina	1	1	0	0.02
23	Tent Comp	10543	Flemming Heights	13	13	0	0.30
23	Tent Comp	20030150	Glen Haven Est. (E.W. Ent.)	72	72		1.65
23	Conc App	20020882	Hatchet Lake Est	10	10	0	0.23
23	Tent Comp	20020882	Hatchet Lake Est. (Brisson)	42	42		0.96
23	Conc comp	20010058	Islandview Ridge	21	21	0	0.48
23	Tent Comp	20010539	Kelly Point Ph 5 (Vladi)	12	12	0	0.27
23	Tent Comp	10242	MacLellan Construction	7	7	0	0.16
23	Conc App	20020910	McGrath Lake	48	25	23	1.10
23	Tent Comp	10262	McGrath Lake (Ramar)	49	49		1.12
23	Conc App	19990461	Shag End Est	38	25	13	0.87
23	Tent App	20030100	St. Margarets Village	4	4	0	0.09
23	Tent Comp	20030100	St. Margarets Village (Ph 8&9)	93	93		2.13
23	Tent Comp	20010035	Wendybrook	12	12	0	0.27
23	Tent App	20010035	Wendybrook	1	1	0	0.02
						523	11.96

ATTACHMENT 4
HALIFAX REGIONAL MUNICIPALITY

A BY-LAW TO AMEND THE MUNICIPAL PLANNING STRATEGY
FOR EASTERN SHORE (WEST)

The Municipal Planning Strategy for Eastern Shore (West) is here amended by:

1. Deleting the last sentence within the preamble under "Development Options" section and replacing it with the following sentence:

"Therefore, subdivision activity will be supported along existing roads."

2. Deleting Policies IGM-6 to IGM-8 inclusive and replacing them with two new policies:

"Policy IGM-6 It shall be a policy of Regional Council to encourage infilling on existing roads to maximize existing infrastructure and minimize the cost of delivering services to unserviced residential development within the Interim Growth Management Area.

Policy IGM-7 Further to Policy IGM-6, residential subdivision activity, within the Interim Growth Management area shall be limited to parcels of land that abut or have access to a road (either public or private) that existed or was under construction on January 22, 2004 or any road shown on completed tentative and final applications for subdivision filed by January 22, 2004."

3. Adding new preamble and policies immediately following Policy IGM-7:

"In order for subdivision activity is to occur on new roads, limitations need to be established to minimize costs associated with road maintenance and service delivery (e.g. solid waste collection), limit potential leap frogging over existing developed areas and limit the potential for accelerated subdivision growth within unserviced areas. To achieve this objective, Municipality shall:

- i) **limit development to new public roads which are owned or maintained by either HRM or the Province;**
- ii) **permit new or extension of existing "local" roads only;**

- iii) prohibit roads that connect to or extend from “non-local¹” roads;
- iv) limit the number of lots and the amount of road which can be constructed;
- v) eliminate the requirement for new concept applications under the Subdivision By-law in order to avoid further “grand-fathering” of such applications under the Regional Plan; and
- vi) eliminate the “Final Endorsement” requirement under the Subdivision By-law in order to establish a time limit on Final subdivision applications.

Policy IGM- 8 Notwithstanding Policy IGM-7, Council shall permit new or extensions to existing local public roads which are prohibited from connecting to or extending from non-local roads through amendments to the Subdivision By-law.

Policy IGM- 8a Further to Policy IGM- 8, Council through amendments to the Subdivision By-law shall:

- i) limit the number of lots created from an area of land;
- ii) limit the extent of new road construction; and
- iii) eliminate the requirement for new concept applications to avoid further grand-fathering under the Regional Plan.

Policy IGM-8b It shall be the intention of Council to eliminate, under the Subdivision By-law, the requirement for “Final Endorsement” in order to establish a time limit on Final subdivision applications.

The use of private roads should be curtailed as a subdivision option due to concerns related to:

- i) physical conditions of private roads varying widely which has resulted in these roads receiving a reduced level of services compared to public roads;
- ii) creation of large-scale subdivisions utilizing private roads resulting in kilometres of roadway which does not meet public road standards;
- iii) costs associated with maintenance have given rise to situations where property developers and/or residents are unable or unwilling to pay the cost of maintaining their private road resulting in roads of unsafe and poor physical condition (undermines public safety objectives); and
- iv) requests for HRM to take over private roads.

¹ Non-local road is as any road listed under Schedule “T” of the Subdivision By-law.

Therefore, in addition to the other limitations respecting subdivision, new private road subdivisions will be discouraged.

Policy IGM-8c **It shall be a policy of Regional Council to prohibit any new private roads, excluding those roads shown on completed tentative and final applications, in response to municipal concerns associated with this form of road and to avoid pre-emptive growth and leap frogging of development over existing developed areas.”**

4. deleting Policy IGM-12 and replacing it with a new Policy:

“Policy IGM-12 **Notwithstanding Policies IGM-7 to IGM-8c inclusive, Council shall permit completed Concept subdivision applications submitted prior to January 22, 2004 to continue through the subdivision process but subject to limitations on the number of lots that can be created and the amount of road constructed.**

5. deleting Policy IGM-13 and replacing it with a new Policy:

“Policy IGM-13 **It shall be the intention of Council to permit completed preliminary, tentative, and final subdivision applications showing flag lots submitted between May 20, 1997 and March 13, 2004 to continue through the subdivision process under the provisions that existed within the Subdivision By-law on March 12, 2004.”**

6. Deleting the last sentence within the preamble under “Discretionary Planning Approvals” section and replacing it with two new sentences as follows:

“Therefore, new unserviced residential development shall be considered on existing roads and new or extension to existing local roads. Further, the number of lots which can be subdivided created under a development agreement shall be limited to the same restriction applied to new or extension to existing local roads permitted under as-of-right approvals”

7. under the “Discretionary Planning Approvals” deleting Policy IGM-16 and replacing it with two new Policies:

“Policy IGM-16 Notwithstanding Policy IM-10, any development agreement or rezoning application within the Interim Growth Management area, for unserviced residential development shall be permitted on an area of land that abut or have access to an existing road and on a new or extension to existing local roads pursuant to Policies IGM-7 to IGM-8c inclusive.”

“Policy IGM-16a Further to Policy IGM-16, new development agreements for unserviced residential development on new or extension to existing local public roads shall be subject to limitations on the number of lots that can be created and the amount of road construction same as under Policy IGM-8 and IGM-8a.”

8. under the “Discretionary Planning Approvals” deleting Policy IGM-17 and replacing it with a new Policy:

“Policy IGM-17 It shall be the intention of Council to exempt all approved development agreements and completed development agreement applications received prior to March 13, 2004 for unserviced residential development from the Interim Growth Management policies.”

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the _____ day of _____, A.D. 2004.

GIVEN under the hand of the Acting Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____, A.D., 2004.

Jan Gibson
Acting Municipal Clerk

ATTACHMENT 5
HALIFAX REGIONAL MUNICIPALITY

A BY-LAW TO AMEND THE MUNICIPAL PLANNING STRATEGY
FOR LAWRENCETOWN

The Municipal Planning Strategy for Lawrencetown is here amended by:

1. Deleting the last sentence within the preamble under “Development Options” section and replacing it with the following sentence:

“Therefore, subdivision activity will be supported along existing roads.”

2. Deleting Policies IGM-6 to IGM-8 inclusive and replacing them with two new policies:

“Policy IGM-6 It shall be a policy of Regional Council to encourage infilling on existing roads to maximize existing infrastructure and minimize the cost of delivering services to unserved residential development within the Interim Growth Management Area.

Policy IGM-7 Further to Policy IGM-6, residential subdivision activity, within the Interim Growth Management area shall be limited to parcels of land that abut or have access to a road (either public or private) that existed or was under construction on January 22, 2004 or any road shown on completed tentative and final applications for subdivision filed by January 22, 2004.”

3. Adding new preamble and policies immediately following Policy IGM-7:

“In order for subdivision activity is to occur on new roads, limitations need to be established to minimize costs associated with road maintenance and service delivery (e.g. solid waste collection), limit potential leap frogging over existing developed areas and limit the potential for accelerated subdivision growth within unserved areas. To achieve this objective, Municipality shall:

- i) **limit development to new public roads which are owned or maintained by either HRM or the Province;**
- ii) **permit new or extension of existing “local” roads only;**

- iii) prohibit roads that connect to or extend from “non-local²” roads;
- iv) limit the number of lots and the amount of road which can be constructed;
- v) eliminate the requirement for new concept applications under the Subdivision By-law in order to avoid further “grand-fathering” of such applications under the Regional Plan; and
- vi) eliminate the “Final Endorsement” requirement under the Subdivision By-law in order to establish a time limit on Final subdivision applications.

Policy IGM- 8 Notwithstanding Policy IGM-7, Council shall permit new or extensions to existing local public roads which are prohibited from connecting to or extending from non-local roads through amendments to the Subdivision By-law.

Policy IGM- 8a Further to Policy IGM- 8, Council through amendments to the Subdivision By-law shall:

- i) limit the number of lots created from an area of land;
- ii) limit the extent of new road construction; and
- iii) eliminate the requirement for new concept applications to avoid further grand-fathering under the Regional Plan.

Policy IGM-8b It shall be the intention of Council to eliminate, under the Subdivision By-law, the requirement for “Final Endorsement” in order to establish a time limit on Final subdivision applications.

The use of private roads should be curtailed as a subdivision option due to concerns related to:

- i) physical conditions of private roads varying widely which has resulted in these roads receiving a reduced level of services compared to public roads;
- ii) creation of large-scale subdivisions utilizing private roads resulting in kilometres of roadway which does not meet public road standards;
- iii) costs associated with maintenance have given rise to situations where property developers and/or residents are unable or unwilling to pay the cost of maintaining their private road resulting in roads of unsafe and poor physical condition (undermines public safety objectives); and
- iv) requests for HRM to take over private roads.

² Non-local road is as any road listed under Schedule “T” of the Subdivision By-law.

Therefore, in addition to the other limitations respecting subdivision, new private road subdivisions will be discouraged.

Policy IGM-8c **It shall be a policy of Regional Council to prohibit any new private roads, excluding those roads shown on completed tentative and final applications, in response to municipal concerns associated with this form of road and to avoid pre-emptive growth and leap frogging of development over existing developed areas.”**

4. deleting Policy IGM-12 and replacing it with a new Policy:

“Policy IGM-12 **Notwithstanding Policies IGM-7 to IGM-8c inclusive, Council shall permit completed Concept subdivision applications submitted prior to January 22, 2004 to continue through the subdivision process but subject to limitations on the number of lots that can be created and the amount of road constructed.**

5. deleting Policy IGM-13 and replacing it with a new Policy:

“Policy IGM-13 **It shall be the intention of Council to permit completed preliminary, tentative, and final subdivision applications showing flag lots submitted between May 20, 1997 and March 13, 2004 to continue through the subdivision process under the provisions that existed within the Subdivision By-law on March 12, 2004.”**

6. Deleting the last sentence within the preamble under “Discretionary Planning Approvals” section and replacing it with two new sentences as follows:

“Therefore, new unserviced residential development shall be considered on existing roads and new or extension to existing local roads. Further, the number of lots which can be subdivided created under a development agreement shall be limited to the same restriction applied to new or extension to existing local roads permitted under as-of-right approvals”

7. under the “Discretionary Planning Approvals” deleting Policy IGM-16 and replacing it with two new Policies:

“Policy IGM-16 Notwithstanding Policy IM-10, any development agreement or rezoning application within the Interim Growth Management area, for unserviced residential development shall be permitted on an area of land that abut or have access to an existing road and on a new or extension to existing local roads pursuant to Policies IGM-7 to IGM-8c inclusive.”

“Policy IGM-16a Further to Policy IGM-16, new development agreements for unserviced residential development on new or extension to existing local roads shall be subject to limitations on the number of lots that can be created and the amount of road construction same as under Policy IGM-8 and IGM-8a.”

8. under the “Discretionary Planning Approvals” deleting Policy IGM-17 and replacing it with a new Policy:

“Policy IGM-17 It shall be the intention of Council to exempt all approved development agreements and completed development agreement applications received prior to March 13, 2004 for unserviced residential development from the Interim Growth Management policies.”

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the _____ day of _____, A.D. 2004.

GIVEN under the hand of the Acting Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____, A.D., 2004.

Jan Gibson
Acting Municipal Clerk

ATTACHMENT 6
HALIFAX REGIONAL MUNICIPALITY

A BY-LAW TO AMEND THE MUNICIPAL PLANNING STRATEGY
FOR MUSQUODOBOIT VALLEY-DUTCH SETTLEMENT

The Municipal Planning Strategy for Musquodoboit Valley-Dutch Settlement is here amended by:

1. Deleting the last sentence within the preamble under “Development Options” section and replacing it with the following sentence:

“Therefore, subdivision activity will be supported along existing roads.”

2. Deleting Policies IGM-6 to IGM-8 inclusive and replacing them with two new policies:

“Policy IGM-6 It shall be a policy of Regional Council to encourage infilling on existing roads to maximize existing infrastructure and minimize the cost of delivering services to unserved residential development within the Interim Growth Management Area.

Policy IGM-7 Further to Policy IGM-6, residential subdivision activity, within the Interim Growth Management area shall be limited to parcels of land that abut or have access to a road (either public or private) that existed or was under construction on January 22, 2004 or any road shown on completed tentative and final applications for subdivision filed by January 22, 2004.”

3. Adding new preamble and policies immediately following Policy IGM-7:

“In order for subdivision activity is to occur on new roads, limitations need to be established to minimize costs associated with road maintenance and service delivery (e.g. solid waste collection), limit potential leap frogging over existing developed areas and limit the potential for accelerated subdivision growth within unserved areas. To achieve this objective, Municipality shall:

- i) **limit development to new public roads which are owned or maintained by either HRM or the Province;**
- ii) **permit new or extension of existing “local” roads only;**

- iii) prohibit roads that connect to or extend from “non-local³” roads;
- iv) limit the number of lots and the amount of road which can be constructed;
- v) eliminate the requirement for new concept applications under the Subdivision By-law in order to avoid further “grand-fathering” of such applications under the Regional Plan; and
- vi) eliminate the “Final Endorsement” requirement under the Subdivision By-law in order to establish a time limit on Final subdivision applications.

Policy IGM- 8 Notwithstanding Policy IGM-7, Council shall permit new or extensions to existing local public roads which are prohibited from connecting to or extending from non-local roads through amendments to the Subdivision By-law.

Policy IGM- 8a Further to Policy IGM- 8, Council through amendments to the Subdivision By-law shall:

- i) limit the number of lots created from an area of land;
- ii) limit the extent of new road construction; and
- iii) eliminate the requirement for new concept applications to avoid further grand-fathering under the Regional Plan.

Policy IGM-8b It shall be the intention of Council to eliminate, under the Subdivision By-law, the requirement for “Final Endorsement” in order to establish a time limit on Final subdivision applications.

The use of private roads should be curtailed as a subdivision option due to concerns related to:

- i) physical conditions of private roads varying widely which has resulted in these roads receiving a reduced level of services compared to public roads;
- ii) creation of large-scale subdivisions utilizing private roads resulting in kilometres of roadway which does not meet public road standards;
- iii) costs associated with maintenance have given rise to situations where property developers and/or residents are unable or unwilling to pay the cost of maintaining their private road resulting in roads of unsafe and poor physical condition (undermines public safety objectives); and
- iv) requests for HRM to take over private roads.

³ Non-local road is as any road listed under Schedule “T” of the Subdivision By-law.

Therefore, in addition to the other limitations respecting subdivision, new private road subdivisions will be discouraged.

Policy IGM-8c It shall be a policy of Regional Council to prohibit any new private roads, excluding those roads shown on completed tentative and final applications, in response to municipal concerns associated with this form of road and to avoid pre-emptive growth and leap frogging of development over existing developed areas.”

4. deleting Policy IGM-12 and replacing it with a new Policy:

“Policy IGM-12 Notwithstanding Policies IGM-7 to IGM-8c inclusive, Council shall permit completed Concept subdivision applications submitted prior to January 22, 2004 to continue through the subdivision process but subject to limitations on the number of lots that can be created and the amount of road constructed.

5. deleting Policy IGM-13 and replacing it with a new Policy:

“Policy IGM-13 It shall be the intention of Council to permit completed preliminary, tentative, and final subdivision applications showing flag lots submitted between May 20, 1997 and March 13, 2004 to continue through the subdivision process under the provisions that existed within the Subdivision By-law on March 12, 2004.”

6. Deleting the last sentence within the preamble under “Discretionary Planning Approvals” section and replacing it with two new sentences as follows:

“Therefore, new unserviced residential development shall be considered on existing roads and new or extension to existing local roads. Further, the number of lots which can be subdivided created under a development agreement shall be limited to the same restriction applied to new or extension to existing local roads permitted under as-of-right approvals”

7. under the “Discretionary Planning Approvals” deleting Policy IGM-16 and replacing it with two new Policies:

“Policy IGM-16 Notwithstanding Policy IM-10, any development agreement or rezoning application within the Interim Growth Management area, for unserviced residential development shall be permitted on an area of land that abut or have access to an existing road and on a new or extension to existing local roads pursuant to Policies IGM-7 to IGM-8c inclusive.”

“Policy IGM-16a Further to Policy IGM-16, new development agreements for unserviced residential development on new or extension to existing local roads shall be subject to limitations on the number of lots that can be created and the amount of road construction same as under Policy IGM-8 and IGM-8a.”

8. under the “Discretionary Planning Approvals” deleting Policy IGM-17 and replacing it with a new Policy:

“Policy IGM-17 It shall be the intention of Council to exempt all approved development agreements and completed development agreement applications received prior to March 13, 2004 for unserviced residential development from the Interim Growth Management policies.”

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the _____ day of _____, A.D. 2004.

GIVEN under the hand of the Acting Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____, A.D., 2004.

Jan Gibson
Acting Municipal Clerk

ATTACHMENT 7
HALIFAX REGIONAL MUNICIPALITY

A BY-LAW TO AMEND THE MUNICIPAL PLANNING STRATEGY FOR
NORTH PRESTON, LAKE MAJOR, LAKE LOON/CHERRY BROOK
AND EAST PRESTON

The Municipal Planning Strategy for North Preston, Lake Major, Lake Loon/cherry Brook and East Preston is here amended by:

1. Deleting the last sentence within the preamble under “Development Options” section and replacing it with the following sentence:

“Therefore, subdivision activity will be supported along existing roads.”

2. Deleting Policies IGM-6 to IGM-8 inclusive and replacing them with two new policies:

“Policy IGM-6 It shall be a policy of Regional Council to encourage infilling on existing roads to maximize existing infrastructure and minimize the cost of delivering services to unserved residential development within the Interim Growth Management Area.

Policy IGM-7 Further to Policy IGM-6, residential subdivision activity, within the Interim Growth Management area shall be limited to parcels of land that abut or have access to a road (either public or private) that existed or was under construction on January 22, 2004 or any road shown on completed tentative and final applications for subdivision filed by January 22, 2004.”

3. Adding new preamble and policies immediately following Policy IGM-7:

“In order for subdivision activity is to occur on new roads, limitations need to be established to minimize costs associated with road maintenance and service delivery (e.g. solid waste collection), limit potential leap frogging over existing developed areas and limit the potential for accelerated subdivision growth within unserved areas. To achieve this objective, Municipality shall:

- i) **limit development to new public roads which are owned or maintained by either HRM or the Province;**
- ii) **permit new or extension of existing “local” roads only;**

- iii) prohibit roads that connect to or extend from “non-local⁴” roads;
- iv) limit the number of lots and the amount of road which can be constructed;
- v) eliminate the requirement for new concept applications under the Subdivision By-law in order to avoid further “grand-fathering” of such applications under the Regional Plan; and
- vi) eliminate the “Final Endorsement” requirement under the Subdivision By-law in order to establish a time limit on Final subdivision applications.

Policy IGM- 8 Notwithstanding Policy IGM-7, Council shall permit new or extensions to existing local public roads which are prohibited from connecting to or extending from non-local roads through amendments to the Subdivision By-law.

Policy IGM- 8a Further to Policy IGM- 8, Council through amendments to the Subdivision By-law shall:

- i) limit the number of lots created from an area of land;
- ii) limit the extent of new road construction; and
- iii) eliminate the requirement for new concept applications to avoid further grand-fathering under the Regional Plan.

Policy IGM-8b It shall be the intention of Council to eliminate, under the Subdivision By-law, the requirement for “Final Endorsement” in order to establish a time limit on Final subdivision applications.

The use of private roads should be curtailed as a subdivision option due to concerns related to:

- i) physical conditions of private roads varying widely which has resulted in these roads receiving a reduced level of services compared to public roads;
- ii) creation of large-scale subdivisions utilizing private roads resulting in kilometres of roadway which does not meet public road standards;
- iii) costs associated with maintenance have given rise to situations where property developers and/or residents are unable or unwilling to pay the cost of maintaining their private road resulting in roads of unsafe and poor physical condition (undermines public safety objectives); and
- iv) requests for HRM to take over private roads.

⁴ Non-local road is as any road listed under Schedule “T” of the Subdivision By-law.

Therefore, in addition to the other limitations respecting subdivision, new private road subdivisions will be discouraged.

Policy IGM-8c **It shall be a policy of Regional Council to prohibit any new private roads, excluding those roads shown on completed tentative and final applications, in response to municipal concerns associated with this form of road and to avoid pre-emptive growth and leap frogging of development over existing developed areas.”**

4. deleting Policy IGM-12 and replacing it with a new Policy:

“Policy IGM-12 **Notwithstanding Policies IGM-7 to IGM-8c inclusive, Council shall permit completed Concept subdivision applications submitted prior to January 22, 2004 to continue through the subdivision process but subject to limitations on the number of lots that can be created and the amount of road constructed.**

5. deleting Policy IGM-13 and replacing it with a new Policy:

“Policy IGM-13 **It shall be the intention of Council to permit completed preliminary, tentative, and final subdivision applications showing flag lots submitted between May 20, 1997 and March 13, 2004 to continue through the subdivision process under the provisions that existed within the Subdivision By-law on March 12, 2004.”**

6. Deleting the last sentence within the preamble under “Discretionary Planning Approvals” section and replacing it with two new sentences as follows:

“Therefore, new unserviced residential development shall be considered on existing roads and new or extension to existing local roads. Further, the number of lots which can be subdivided created under a development agreement shall be limited to the same restriction applied to new or extension to existing local roads permitted under as-of-right approvals”

7. under the “Discretionary Planning Approvals” deleting Policy IGM-16 and replacing it with two new Policies:

“Policy IGM-16 Notwithstanding Policy IM-10, any development agreement or rezoning application within the Interim Growth Management area, for unserved residential development shall be permitted on an area of land that abut or have access to an existing road and on a new or extension to existing local roads pursuant to Policies IGM-7 to IGM-8c inclusive.”

“Policy IGM-16a Further to Policy IGM-16, new development agreements for unserved residential development on new or extension to existing local roads shall be subject to limitations on the number of lots that can be created and the amount of road construction same as under Policy IGM-8 and IGM-8a.”

8. under the “Discretionary Planning Approvals” deleting Policy IGM-17 and replacing it with a new Policy:

“Policy IGM-17 It shall be the intention of Council to exempt all approved development agreements and completed development agreement applications received prior to March 13, 2004 for unserved residential development from the Interim Growth Management policies.”

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the _____ day of _____, A.D. 2004.

GIVEN under the hand of the Acting Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____, A.D., 2004.

Jan Gibson
Acting Municipal Clerk

ATTACHMENT 8
HALIFAX REGIONAL MUNICIPALITY

A BY-LAW TO AMEND THE MUNICIPAL PLANNING STRATEGY
FOR PLANNING DISTRICTS 8 AND 9

The Municipal Planning Strategy for Planning Districts 8 and 9 is here amended by:

1. Deleting the last sentence within the preamble under “Development Options” section and replacing it with the following sentence:

“Therefore, subdivision activity will be supported along existing roads.”

2. Deleting Policies P-79H(A).6 to P-79H(A).8 inclusive and replacing them with two new policies:

“Policy P-79H(A).6 It shall be a policy of Regional Council to encourage infilling on existing roads to maximize existing infrastructure and minimize the cost of delivering services to unserviced residential development within the Interim Growth Management Area.

Policy P-79H(A).7 Further to Policy P-79H(A).6, residential subdivision activity, within the Interim Growth Management area shall be limited to parcels of land that abut or have access to a road (either public or private) that existed or was under construction on January 22, 2004 or any road shown on completed tentative and final applications for subdivision filed by January 22, 2004.”

3. Adding new preamble and policies immediately following Policy P-79H(A).7:

“In order for subdivision activity is to occur on new roads, limitations need to be established to minimize costs associated with road maintenance and service delivery (e.g. solid waste collection), limit potential leap frogging over existing developed areas and limit the potential for accelerated subdivision growth within unserviced areas. To achieve this objective, Municipality shall:

- i) **limit development to new public roads which are owned or maintained by either HRM or the Province;**
- ii) **permit new or extension of existing “local” roads only;**

- iii) prohibit roads that connect to or extend from “non-local⁵” roads;
- iv) limit the number of lots and the amount of road which can be constructed;
- v) eliminate the requirement for new concept applications under the Subdivision By-law in order to avoid further “grand-fathering” of such applications under the Regional Plan; and
- vi) eliminate the “Final Endorsement” requirement under the Subdivision By-law in order to establish a time limit on Final subdivision applications.

Policy P-79H(A). 8 Notwithstanding Policy P-79H(A).7, Council shall permit new or extensions to existing local public roads which are prohibited from connecting to or extending from non-local roads through amendments to the Subdivision By-law.

Policy P-79H(A). 8a Further to Policy P-79H(A). 8, Council through amendments to the Subdivision By-law shall:

- i) limit the number of lots created from an area of land;
- ii) limit the extent of new road construction; and
- iii) eliminate the requirement for new concept applications to avoid further grand-fathering under the Regional Plan.

Policy P-79H(A).8b It shall be the intention of Council to eliminate, under the Subdivision By-law, the requirement for “Final Endorsement” in order to establish a time limit on Final subdivision applications.

The use of private roads should be curtailed as a subdivision option due to concerns related to:

- i) physical conditions of private roads varying widely which has resulted in these roads receiving a reduced level of services compared to public roads;
- ii) creation of large-scale subdivisions utilizing private roads resulting in kilometres of roadway which does not meet public road standards;
- iii) costs associated with maintenance have given rise to situations where property developers and/or residents are unable or unwilling to pay the cost of maintaining their private road resulting in roads of unsafe and poor physical condition (undermines public safety objectives); and
- iv) requests for HRM to take over private roads.

⁵ Non-local road is as any road listed under Schedule “T” of the Subdivision By-law.

Therefore, in addition to the other limitations respecting subdivision, new private road subdivisions will be discouraged.

Policy P-79H(A).8c It shall be a policy of Regional Council to prohibit any new private roads, excluding those roads shown on completed tentative and final applications, in response to municipal concerns associated with this form of road and to avoid pre-emptive growth and leap frogging of development over existing developed areas.”

4. deleting Policy P-79H(A).12 and replacing it with a new Policy:

“Policy P-79H(A).12 Notwithstanding Policies P-79H(A).7 to P-79H(A).8c inclusive, Council shall permit completed Concept subdivision applications submitted prior to January 22, 2004 to continue through the subdivision process but subject to limitations on the number of lots that can be created and the amount of road constructed.

5. deleting Policy P-79H(A).13 and replacing it with a new Policy:

“Policy P-79H(A).13 It shall be the intention of Council to permit completed preliminary, tentative, and final subdivision applications showing flag lots submitted between May 20, 1997 and March 13, 2004 to continue through the subdivision process under the provisions that existed within the Subdivision By-law on March 12, 2004.”

6. Deleting the last sentence within the preamble under “Discretionary Planning Approvals” section and replacing it with two new sentences as follows:

“Therefore, new unserviced residential development shall be considered on existing roads and new or extension to existing local roads. Further, the number of lots which can be subdivided created under a development agreement shall be limited to the same restriction applied to new or extension to existing local roads permitted under as-of-right approvals”

7. under the “Discretionary Planning Approvals” deleting Policy P-79H(A).16 and replacing it with two new Policies:

“Policy P-79H(A).16 Notwithstanding Policy IM-10, any development agreement or rezoning application within the Interim Growth Management area, for unserviced residential development shall be permitted on an area of land that abut or have access to an existing road and on a new or extension to existing local roads pursuant to Policies P-79H(A).7 to P-79H(A).8c inclusive.”

“Policy P-79H(A).16a Further to Policy P-79H(A).16, new development agreements for unserviced residential development on new or extension to existing local roads shall be subject to limitations on the number of lots that can be created and the amount of road construction same as under Policy P-79H(A).8 and P-79H(A).8a”

8. under the “Discretionary Planning Approvals” deleting Policy P-79H(A).17 and replacing it with a new Policy:

“Policy P-79H(A).17 It shall be the intention of Council to exempt all approved development agreements and completed development agreement applications received prior to March 13, 2004 for unserviced residential development from the Interim Growth Management policies.”

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the _____ day of _____, A.D. 2004.

GIVEN under the hand of the Acting Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____, A.D., 2004.

Jan Gibson
Acting Municipal Clerk

ATTACHMENT 9
HALIFAX REGIONAL MUNICIPALITY

A BY-LAW TO AMEND THE MUNICIPAL PLANNING STRATEGY FOR
SHUBENACADIE LAKES (PLANNING DISTRICTS 14 AND 17)

The Municipal Planning Strategy for Shubenacadie Lakes (Planning Districts 14 and 17) is here amended by:

1. Deleting the last sentence within the preamble under “Development Options” section and replacing it with the following sentence:

“Therefore, subdivision activity will be supported along existing roads.”

2. Deleting Policies P-145A.6 to P-145A.8 inclusive and replacing them with two new policies:

“Policy P-145A.6 It shall be a policy of Regional Council to encourage infilling on existing roads to maximize existing infrastructure and minimize the cost of delivering services to unserved residential development within the Interim Growth Management Area.

Policy P-145A.7 Further to Policy P-145A.6, residential subdivision activity, within the Interim Growth Management area shall be limited to parcels of land that abut or have access to a road (either public or private) that existed or was under construction on January 22, 2004 or any road shown on completed tentative and final applications for subdivision filed by January 22, 2004.”

3. Adding new preamble and policies immediately following Policy P-145A.7:

“In order for subdivision activity is to occur on new roads, limitations need to be established to minimize costs associated with road maintenance and service delivery (e.g. solid waste collection), limit potential leap frogging over existing developed areas and limit the potential for accelerated subdivision growth within unserved areas. To achieve this objective, Municipality shall:

- i) **limit development to new public roads which are owned or maintained by either HRM or the Province;**
- ii) **permit new or extension of existing “local” roads only;**

- iii) prohibit roads that connect to or extend from “non-local⁶” roads;
- iv) limit the number of lots and the amount of road which can be constructed;
- v) eliminate the requirement for new concept applications under the Subdivision By-law in order to avoid further “grand-fathering” of such applications under the Regional Plan; and
- vi) eliminate the “Final Endorsement” requirement under the Subdivision By-law in order to establish a time limit on Final subdivision applications.

Policy P-145A. 8 Notwithstanding Policy P-145A.7, Council shall permit new or extensions to existing local public roads which are prohibited from connecting to or extending from non-local roads through amendments to the Subdivision By-law.

Policy P-145A. 8a Further to Policy P-145A. 8, Council through amendments to the Subdivision By-law shall:

- i) limit the number of lots created from an area of land;
- ii) limit the extent of new road construction; and
- iii) eliminate the requirement for new concept applications to avoid further grand-fathering under the Regional Plan.

Policy P-145A.8b It shall be the intention of Council to eliminate, under the Subdivision By-law, the requirement for “Final Endorsement” in order to establish a time limit on Final subdivision applications.

The use of private roads should be curtailed as a subdivision option due to concerns related to:

- i) physical conditions of private roads varying widely which has resulted in these roads receiving a reduced level of services compared to public roads;
- ii) creation of large-scale subdivisions utilizing private roads resulting in kilometres of roadway which does not meet public road standards;
- iii) costs associated with maintenance have given rise to situations where property developers and/or residents are unable or unwilling to pay the cost of maintaining their private road resulting in roads of unsafe and poor physical condition (undermines public safety objectives); and
- iv) requests for HRM to take over private roads.

⁶ Non-local road is as any road listed under Schedule “T” of the Subdivision By-law.

Therefore, in addition to the other limitations respecting subdivision, new private road subdivisions will be discouraged.

Policy P-145A.8c It shall be a policy of Regional Council to prohibit any new private roads, excluding those roads shown on completed tentative and final applications, in response to municipal concerns associated with this form of road and to avoid pre-emptive growth and leap frogging of development over existing developed areas.”

4. deleting Policy P-145A.12 and replacing it with a new Policy:

“Policy P-145A.12 Notwithstanding Policies P-145A.7 to P-145A.8c inclusive, Council shall permit completed Concept subdivision applications submitted prior to January 22, 2004 to continue through the subdivision process but subject to limitations on the number of lots that can be created and the amount of road constructed.

5. deleting Policy P-145A.13 and replacing it with a new Policy:

“Policy P-145A.13 It shall be the intention of Council to permit completed preliminary, tentative, and final subdivision applications showing flag lots submitted between May 20, 1997 and March 13, 2004 to continue through the subdivision process under the provisions that existed within the Subdivision By-law on March 12, 2004.”

6. Deleting the last sentence within the preamble under “Discretionary Planning Approvals” section and replacing it with two new sentences as follows:

“Therefore, new unserviced residential development shall be considered on existing roads and new or extension to existing local roads. Further, the number of lots which can be subdivided created under a development agreement shall be limited to the same restriction applied to new or extension to existing local roads permitted under as-of-right approvals”

7. under the “Discretionary Planning Approvals” deleting Policy P-145A.16 and replacing it with two new Policies:

“Policy P-145A.16 Notwithstanding Policy IM-10, any development agreement or rezoning application within the Interim Growth Management area, for unserviced residential development shall be permitted on an area of land that abut or have access to an existing road and on a new or extension to existing local roads pursuant to Policies P-145A.7 to P-145A.8c inclusive.”

“Policy P-145A.16a Further to Policy P-145A.16, new development agreements for unserviced residential development on new or extension to existing local roads shall be subject to limitations on the number of lots that can be created and the amount of road construction same as under Policy P-145A.8 and P-145A.8a.”

8. under the “Discretionary Planning Approvals” deleting Policy P-145A.17 and replacing it with a new Policy:

“Policy P-145A.17 It shall be the intention of Council to exempt all approved development agreements and completed development agreement applications received prior to March 13, 2004 for unserviced residential development from the Interim Growth Management policies.”

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the _____ day of _____, A.D. 2004.

GIVEN under the hand of the Acting Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____, A.D., 2004.

Jan Gibson
Acting Municipal Clerk

ATTACHMENT 10

**A BY-LAW TO AMEND THE MUNICIPAL SUBDIVISION BY-LAW
FOR THAT PORTION OF THE MUNICIPALITY FORMERLY KNOWN AS
HALIFAX COUNTY MUNICIPALITY**

The Municipal Subdivision By-law for that portion of the Municipality known as Halifax County Municipality is hereby amended by:

- 1) adding one new schedule within the Table of Contents immediately following Schedule "S":
"SCHEDULE "T" Non-Local Public Streets or Highways"
- 2) adding Table 1 attached to these amendments report as Schedule "T"
- 3) adding one new section, under Concept Plans, immediately following Section 5A.1:
"5A.1A Section 5A.1 does not apply to subdivision applications involving new Public Streets within the Interim Growth Management Area pursuant to the requirements of section 13.1C."
- 4) adding one new section, under Subdivision Design Requirements, immediately following Section 12.6 (d):
"(e) Notwithstanding the requirements of clause 13.1C(a), a new Public Street within the area defined by clause 13.1C may intersect with a non-local Public Street or Highway identified on Schedule "T" of this by-law, where in the opinion of the Engineer, based on accepted engineering practice, the intersection is necessary for public safety or to achieve the design function of the street."
- 5) adding one new section, under Public Streets And Highways And Private Roads, immediately following Section 13.1B:
"13.1C Notwithstanding clause 4.5A(a), within the portions of the Musquodoboit Valley - Dutch Settlement, Eastern Shore (West), Planning Districts 14 & 17 (Shubenacadie Lakes), North Preston/Lake Major/Lake Loon/Cherry Brook/East Preston, Lawrencetown and Planning District 8 & 9 (Lake Echo Porters Lake) Plan Areas within the Interim Growth Management Area, a subdivision which creates lots for residential uses involving a new Public Street not shown on completed Concept Plan applications on file prior to January 22, 2004, shall be permitted subject to meeting the following requirements:

- (a) no street shall intersect with non-local Public Streets or Highways identified on Schedule "T";
- (b) within any Area of Land that existed prior to January 22, 2004, no more than twelve (12) lots plus a remainder lot shall have frontage on the new public street; and
- (c) the proposed lots must be contiguous and be designed to maximize the lot Frontage of the street based on the applicable minimum required lot Frontage. "

Table 1

SCHEDULE "T"

In accordance with Section 13.1C of this By-law, the Development Officer shall not approve any plan of subdivision involving new Public Streets which intersect with the following non-local Public Streets or Highways :

Trunk 2
Trunk 7
Route 207
Route 318
Route 357

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the ___ day of _____, A.D. 2004.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this _____ day of _____, A.D., 2004.

Jan Gibson
Acting Municipal Clerk